IN THE HIGH COURT OF JUDICATURE OF BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUIT NO. 21 of 1983

M/s.Chase Trading Co. .. Plaintiff

versus

M/s.Ravi Chem Dye & Anr. .. Defendants

...

None present for the plaintiff.

Mr.Subhash i/b Mulla & Mulla for the defendant no.2.

CORAM : D.G. KARNIK,J.

DATED : 10th June 2005.

P.C.:

1. Learned counsel for the defendant no.2 is present. None is present for the defendant no.1. The defendants have not file written statement entitling the plaintiff to a decree under Order 8 Rule 10 of the Code of Civil Procedure. Learned counsel for the defendant no.2 however points out that defendant no.2 has been joined as a proforma defendant as can be seen from paragraph no.10 of the plaint.

2. Hence, suit of the plaintiff is decreed under Order 8 Rule 100 against defendant no.1 only in terms of prayer clause (a) and costs.

3. Suit against defendant no.2 is disposed of without any order as to costs.

D.G. KARNIK, J